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PATENT, TRADEMARK, COPYRIGHT  
AND UNFAIR COMPETITION LAW  
AND RELATED LITIGATION

EDMUND P. WOOD 1923-1968  
TRUMAN A. HERRON 1935-1976  
EDWARD B. EVANS 1936-1971

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TO: Commissioner for Patents  
Examining Group 3727

Fax No: 703/872-9306

Pages (including cover page): 12

Date: October 5, 2004

FROM: Keith R. Haupt, Esq.  
Reg. No. 37,638

Re: This fax includes: Amendment, Amendment Transmittal

Serial No.: 10/083,001  
Filed: February 26, 2002  
Art Unit: 3727  
Examiner: Robin A. Hylton

Applicant: Jack S. Oh  
Title: CLOSURE AND CONTAINER WITH  
ANTI-BACKOFF CAPABILITY  
Conf. No.: 4285

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I hereby certify that this paper is being facsimile transmitted to the  
Commissioner for Patents, Examining Group 3727 at facsimile  
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Lisa L. Tucker 10/5/04  
Lisa L. Tucker Date

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PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Jack S. Oh

Serial No.: 10/083,001

Examiner: Robin Hyrton

Filed: February 26, 2002

Group No.: 3727

For: CLOSURE AND CONTAINER WITH ANTI-BACKOFF CAPABILITY

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OCT 05 2004

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450AMENDMENT TRANSMITTAL

- Transmitted herewith is an amendment for this application.
- ☒ Small Entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted.  
  
☐ Enclosed is a verified statement to establish small entity status.  
  
☐ Other Than a Small Entity.
- The fee has been calculated as shown below:

	(Col. 1)		(Col. 2)	(Col. 3)	SMALL ENTITY		LARGE ENTITY	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Addit. Fee	Rate	Addit. Fee
TOTAL	*32	MINUS	**32		x 9	\$	x18	\$
INDEP.	*12	MINUS	***12		x43	\$	x86	\$
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM					+145	\$	+290	\$
					TOTAL FEE	\$	TOTAL FEE	\$

\* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

\*\* If the "Highest No. Previously Paid for" IN THIS SPACE is less than 20, write "20" in this space.

\*\*\* If the "Highest No. Previously Paid for" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest No. Previously Paid for" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.

☒ No additional fee for claims is required.☐ Total fee for claims required \$\_\_\_\_\_.

4. Attached is a check in the sum of \$\_\_\_\_\_.

☐ Please charge my Deposit Account No. 23-3000 in the amount of \$ 43.00. A duplicate copy of this sheet is attached.

5. The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply.

Complete (a) or (b) as applicable.

- (a) \_\_\_\_\_ Applicant petitions for an extension of time under 37 CFR 1.136 for the total number of months checked below:

<u>Extension (months)</u>	<u>Fee for other than small entity</u>	<u>Fee for small entity</u>
_____ one month	\$ 110.00	\$ 55.00
_____ two months	\$ 420.00	\$ 210.00
_____ three months	\$ 950.00	\$ 475.00
_____ four months	\$1,480.00	\$ 740.00
_____ five months	\$2,010.00	\$1,005.00

Fee: \$ \_\_\_\_\_

\_\_\_\_\_ Please charge my Deposit Account No. 23-3000 in the amount of \$ \_\_\_\_\_. A duplicate copy of this sheet is attached.

If an additional extension of time is required, please consider this a petition therefor.

(Check and complete the next item, if applicable)

\_\_\_\_\_ An extension for \_\_\_\_\_ months has already been secured. The fee paid therefor of \_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

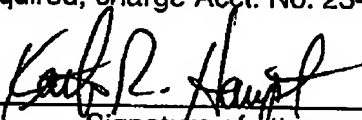
Extension fee due with this request \$ \_\_\_\_\_.

OR (b)

X Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

X If any additional fee for claims or extension is required, charge Acct. No. 23-3000.

2700 Carew Tower  
Cincinnati, Ohio 45202  
(513) 241-2324

  
\_\_\_\_\_  
Signature of attorney

\_\_\_\_\_  
Keith R. Haupt  
Type name of Attorney

Reg. No. 37,638

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Lisa L. Tucker  
Lisa L. Tucker

10/5/04  
Date

**PATENT****CERTIFICATE OF FACSIMILE TRANSMISSION**

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Lisa L. Tucker 10/5/04  
Lisa L. Tucker Date

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Cincinnati, Ohio 45202

October 5, 2004

Mail Stop Amendment  
Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE**

Sir:

This is responsive to the Office Action dated July 20, 2004.

**Remarks/Arguments** begin on page 2 of this paper.